



February 13, 2015

---

## SENATE BILL No. 310

---

DIGEST OF SB 310 (Updated February 11, 2015 6:03 pm - DI 116)

**Citations Affected:** IC 20-20; IC 20-29; IC 20-33.

**Synopsis:** Alternative schools. Makes changes to the requirements as to what information must be reported on a school corporation's annual performance report. Provides that when a student is expelled from school, the department of education shall deposit the remaining state tuition support for the expelled student into the alternative education fund to be used to provide grants to alternative education programs. Establishes the alternative education fund. Provides that if a student who was enrolled in a public school on the date of the fall count of ADM is not enrolled in the school on the spring count of ADM because the student was expelled or dropped out of school, the department shall transfer to the fund from the amount appropriated by the general assembly to the department for distribution as state tuition support an amount equal to the amount of state tuition support the school corporation would have received for the student in the second six months of the state fiscal year.

**Effective:** July 1, 2015.

---

---

**Merritt, Bassler**

---

---

January 8, 2015, read first time and referred to Committee on Education & Career Development.

February 12, 2015, amended, reported favorably — Do Pass; reassigned to Committee on Appropriations.

---

---

SB 310—LS 6696/DI 116





February 13, 2015

First Regular Session 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

## SENATE BILL No. 310

A BILL FOR AN ACT to amend the Indiana Code concerning education.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 20-20-8-8, AS AMENDED BY P.L.246-2013,  
2       SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3       JULY 1, 2015]: Sec. 8. The report must include the following  
4       information, **disaggregated by race, grade, gender, free or reduced**  
5       **price lunch status, and eligibility for special education:**

6               (1) Student enrollment.

7               (2) Graduation rate (as defined in IC 20-26-13-6).

8               (3) Attendance rate.

9               (4) The following test scores, including the number and  
10              percentage of students meeting academic standards:

11              (A) ISTEP program test scores.

12              (B) Scores for assessments under IC 20-32-5-21, if  
13              appropriate.

14              (C) For a freeway school, scores on a locally adopted  
15              assessment program, if appropriate.

16              (5) Average class size.

SB 310—LS 6696/DI 116



- 1 (6) The number and percentage of students in the following
- 2 groups or programs:
- 3 (A) Alternative education, if offered.
- 4 (B) Career and technical education.
- 5 (C) Special education.
- 6 (D) High ability.
- 7 (E) Remediation.
- 8 (F) Limited English language proficiency.
- 9 (G) Students receiving free or reduced price lunch under the
- 10 national school lunch program.
- 11 (H) School flex program, if offered.
- 12 (7) Advanced placement, including the following:
- 13 (A) For advanced placement tests, the percentage of students:
- 14 (i) scoring three (3), four (4), and five (5); and
- 15 (ii) taking the test.
- 16 (B) For the Scholastic Aptitude Test:
- 17 (i) test scores for all students taking the test;
- 18 (ii) test scores for students completing the academic honors
- 19 diploma program; and
- 20 (iii) the percentage of students taking the test.
- 21 (8) Course completion, including the number and percentage of
- 22 students completing the following programs:
- 23 (A) Academic honors diploma.
- 24 (B) Core 40 curriculum.
- 25 (C) Career and technical programs.
- 26 (9) The percentage of grade 8 students enrolled in algebra I.
- 27 (10) The percentage of graduates who pursue higher education.
- 28 (11) School safety, including:
- 29 (A) the number of students receiving suspension or expulsion
- 30 for the possession of alcohol, drugs, or weapons;
- 31 (B) the number of incidents reported under IC 20-33-9; and
- 32 (C) the number of bullying incidents reported under
- 33 IC 20-34-6 by category.
- 34 (12) Financial information and various school cost factors,
- 35 including the following:
- 36 (A) Expenditures per pupil.
- 37 (B) Average teacher salary.
- 38 (C) Remediation funding.
- 39 (13) Technology accessibility and use of technology in
- 40 instruction.
- 41 (14) Interdistrict and intradistrict student mobility rates, if that
- 42 information is available.



(15) The number and percentage of each of the following within the school corporation:

(A) Teachers who are certificated employees (as defined in IC 20-29-2-4).

(B) Teachers who teach the subject area for which the teacher is certified and holds a license.

(C) Teachers with national board certification.

(16) The percentage of grade 3 students reading at grade 3 level.

(17) The number of students expelled, including the number participating in other recognized education programs during their expulsion.

**(18) The number of special education proceedings in which a school has been found to have committed a due process violation.**

~~(18)~~ **(19)** Chronic absenteeism, which includes the number of students who have been absent from school for ten percent (10%) or more of a school year for any reason.

~~(19)~~ **(20)** Habitual truancy, which includes the number of students who have been absent ten (10) days or more from school within a school year without being excused or without being absent under a parental request that has been filed with the school.

~~(20)~~ **(21)** The number of students who have dropped out of school, including the reasons for dropping out.

~~(21)~~ **(22)** The number of student work permits revoked.

~~(22)~~ **(23)** The number of student driver's licenses revoked.

~~(23)~~ **(24)** The number of students who have not advanced to grade 10 due to a lack of completed credits.

~~(24)~~ **(25)** The number of students suspended for any reason.

~~(25)~~ **(26)** The number of students receiving an international baccalaureate diploma.

~~(26)~~ **(27)** Other indicators of performance as recommended by the education roundtable under IC 20-19-4.

SECTION 2. IC 20-29-2-4, AS AMENDED BY P.L.1-2007, SECTION 145, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 4. "Certificated employee" means a person:

(1) whose contract with the school corporation requires that the person hold a license or permit from the division of professional standards of the department under IC 20-28; ~~or~~

(2) who is employed as a teacher by a charter school established under IC 20-24; **or**

**(3) who is employed as a teacher by an alternative education**



1           **program under IC 20-30-8-1.**

2           SECTION 3. IC 20-33-8-19.5 IS ADDED TO THE INDIANA  
3 CODE AS A NEW SECTION TO READ AS FOLLOWS  
4 [EFFECTIVE JULY 1, 2015]: **Sec. 19.5. (a) When a student is**  
5 **expelled under IC 20-33-8, the governing body shall report the date**  
6 **of the expulsion to the department, and the remaining state tuition**  
7 **support money based upon the current count of ADM for the**  
8 **expelled student shall be remanded by the department to the**  
9 **alternative education fund established by subsection (d) to support**  
10 **alternative education programs (as defined in IC 20-30-8-1) or**  
11 **other public schools that serve students on active expulsion.**

12           **(b) If a student who was enrolled in a public school on the date**  
13 **of the fall count of ADM is not enrolled in the school on the spring**  
14 **count of ADM because the student was expelled or dropped out of**  
15 **school, the department shall transfer to the fund established in**  
16 **subsection (d) from the amount appropriated by the general**  
17 **assembly to the department for distribution as state tuition support**  
18 **an amount equal to the amount of state tuition support the school**  
19 **corporation would have received for the student in the second six**  
20 **(6) months of the state fiscal year if the student were included in**  
21 **the school corporation's spring count of ADM. However, the**  
22 **department may not transfer the amount described in this**  
23 **subsection if the department verifies that the student was included**  
24 **in another school's spring count of ADM for the same particular**  
25 **state fiscal year.**

26           **(c) If at least seventy-five percent (75%) of an alternative**  
27 **education program's or other public school's students are on active**  
28 **expulsion or have previously dropped out of school, the alternative**  
29 **education program or school may apply to the department for a**  
30 **grant. The department shall award the grant from the fund**  
31 **established by subsection (d), if money is available and the**  
32 **department is able to verify the number of students on active**  
33 **expulsion.**

34           **(d) The alternative education fund is established to provide**  
35 **grants under subsection (c). The alternative education fund shall**  
36 **be administered by the department.**

37           **(e) The alternative education fund consists of:**

38               **(1) state tuition support placed in the fund by the department**  
39               **under subsection (a); and**

40               **(2) gifts, grants, devises, and bequests.**

41           **(f) Money in the alternative education fund at the end of a state**  
42 **fiscal year does not revert back to the state general fund.**



1       (g) The treasurer of state shall invest money in the alternative  
2       education fund that is not currently needed to meet the obligations  
3       of the fund in the same manner as other public money may be  
4       invested.

5       (h) The state board shall adopt rules under IC 4-22-2 to  
6       administer this section.



## COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 310, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 4, line 7, after "money" insert **"based upon the current count of ADM"**.

Page 4, line 9, delete "(c)" and insert **"(d)"**.

Page 4, line 10, after "IC 20-30-8-1)" insert **"or other public schools"**.

Page 4, between lines 10 and 11, begin a new paragraph and insert:

**"(b) If a student who was enrolled in a public school on the date of the fall count of ADM is not enrolled in the school on the spring count of ADM because the student was expelled or dropped out of school, the department shall transfer to the fund established in subsection (d) from the amount appropriated by the general assembly to the department for distribution as state tuition support an amount equal to the amount of state tuition support the school corporation would have received for the student in the second six (6) months of the state fiscal year if the student were included in the school corporation's spring count of ADM. However, the department may not transfer the amount described in this subsection if the department verifies that the student was included in another school's spring count of ADM for the same particular state fiscal year."**

Page 4, line 11, delete "(b)" and insert **"(c)"**.

Page 4, line 12, after "program's" insert **"or other public school's"**.

Page 4, line 12, after "expulsion" delete "," and insert **"or have previously dropped out of school,"**.

Page 4, line 13, after "program" insert **"or school"**.

Page 4, line 15, delete "(c)," and insert **"(d),"**.

Page 4, line 18, delete "(c)" and insert **"(d)"**.

Page 4, line 19, delete "(b)." and insert **"(c)."**

Page 4, line 21, delete "(d)" and insert **"(e)"**.

Page 4, line 25, delete "(e)" and insert **"(f)"**.



Page 4, line 27, delete "(f)" and insert "(g)".

Page 4, line 31, delete "(g)" and insert "(h)".

and when so amended that said bill do pass and be reassigned to the Senate Committee on Appropriations.

(Reference is to SB 310 as introduced.)

KRUSE, Chairperson

Committee Vote: Yeas 10, Nays 0.

